

FEDERAL REGISTER

THE NATIONAL ARCHIVES
OF THE UNITED STATES
1934

VOLUME 27 NUMBER 44

Washington, Tuesday, March 6, 1962

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Published by the Office of the Federal
Register, National Archives and Records
Service, General Services Administration

Order from Superintendent of Documents,
United States Government Printing Office,
Washington 25, D.C.

FEDERAL REGISTER

Telephone

WOrih 3-3261

prescribed by the Administrative Committee
Superintendent of Documents, Government Printing Office, Washington 25, D.C.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15 cents) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D.C.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended August 5, 1953. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements vary.

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Presidential Documents

Title 3—THE PRESIDENT

Executive Order 11008

CREATING AN EMERGENCY BOARD TO INVESTIGATE DISPUTE BETWEEN THE AKRON & BARBERTON BELT RAILROAD COMPANY AND OTHER CARRIERS AND CERTAIN OF THEIR EMPLOYEES

WHEREAS a dispute exists between the Akron & Barberton Belt Railroad Company and other carriers represented by the Eastern, Western and Southeastern Carriers' Conference Committees, designated in List A attached hereto and made a part hereof, and certain of their employees represented by the Eleven Cooperating Railway Labor Organizations, labor organizations, designated in List B attached hereto and made a part hereof; and

WHEREAS this dispute has not heretofore been adjusted under the provisions of the Railway Labor Act, as amended; and

WHEREAS this dispute, in the judgment of the National Mediation Board, threatens substantially to interrupt interstate commerce to a degree such as to deprive the country of essential transportation service:

NOW, THEREFORE, by virtue of the authority vested in me by section 10 of the Railway Labor Act, as amended (45 U.S.C. 160), I hereby create a board of three members, to be appointed by me, to investigate this dispute. No member of the board shall be pecuniarily or otherwise interested in any organization of railroad employees or any carrier.

The board shall report its findings to the President with respect to the dispute within thirty days from the date of this order.

As provided by section 10 of the Railway Labor Act, as amended, from this date and for thirty days after the board has made its report to the President, no change, except by agreement, shall be made by the Akron & Barberton Belt Railroad Company and other carriers represented by the Eastern, Western and Southeastern Carriers' Conference Committee, or by their employees, in the conditions out of which the dispute arose.

JOHN F. KENNEDY

THE WHITE HOUSE,
March 3, 1962.

LIST A

EASTERN RAILROADS

Akron & Barberton Belt Railroad Company
Akron, Canton & Youngstown Railroad Company
Ann Arbor Railroad Company
Baltimore & Ohio Railroad Company
Baltimore & Ohio Chicago Terminal Railroad Company
Staten Island Rapid Transit Railway Company
Bessemer and Lake Erie Railroad Company
Boston & Maine Railroad
Brooklyn Eastern District Terminal
Buffalo Creek Railroad
Bush Terminal Railroad Company
Canadian National Railways
Canadian Pacific Railway Company
The Central Railroad Company of New Jersey
New York & Long Branch R.R. Company
Central Vermont Railway, Inc.
Chicago Union Station Company
Cincinnati Union Terminal Company
Dayton Union Railway Company
Delaware and Hudson Railroad Corporation
Detroit and Toledo Shore Line Railroad Company
Detroit Terminal Railroad Company
Detroit, Toledo and Ironton Railroad Company
Erie-Lackawanna Railroad Company
Grand Trunk Western Railroad Company
The Indianapolis Union Railway Company

The Lehigh and Hudson River Railway Company
 Lehigh Valley Railroad Company
 Long Island Railroad Company
 Maine Central Railroad Company
 Portland Terminal Company
 Monon Railroad Company
 Monongahela Railway Company
 Montour Railroad Company
NEW YORK CENTRAL SYSTEM

New York Central Railroad Company
 New York District (Including Grand Central Terminal)
 Eastern District (Including Boston & Albany Division)
 Western District
 Northern District
 Southern District
 Indiana Harbor Belt Railroad Company
 Chicago River & Indiana Railroad Company
 Pittsburgh & Lake Erie Railroad Company
 Lake Erie and Eastern Railroad Company
 Cleveland Union Terminals Company
 Troy Union Railroad Company
 New York, Chicago and St. Louis Railroad Company
 New York Dock Railway
 New York, Susquehanna and Western Railroad Company
 The Pennsylvania Railroad Company
 Baltimore and Eastern Railroad Company
 Pennsylvania-Reading Seashore Lines
 Pittsburgh & West Virginia Railway Company
 Pittsburgh, Chartiers & Youghiogheny Railway Company
 Railroad Perishable Inspection Agency
 Reading Company
 Philadelphia, Reading and Pottsville Telegraph Company
 The River Terminal Railway Company
 Toledo Terminal Railroad Company
 Union Depot Company (Columbus, Ohio)
 Upper Merion & Plymouth Railroad Company
 Washington Terminal Company
 Western Maryland Railway Company
 Youngstown & Southern Railway Company

WESTERN RAILROADS

Alton and Southern Railroad
 Atchison, Topeka & Santa Fe Railway
 Gulf, Colorado and Santa Fe
 Panhandle and Santa Fe
 Bauxite and Northern
 Belt Railway Company of Chicago
 Camas Prairie Railroad Company
 Chicago & Eastern Illinois Railroad
 Chicago & Illinois Midland Railroad
 Chicago and Illinois Western Railroad
 Chicago and North Western Railway
 (Including Former Chicago, St. Paul, Minneapolis & Omaha, Former L&M
 and Former M&StL.)
 Chicago and Western Indiana Railroad
 Chicago, Burlington & Quincy Railroad
 Chicago Great Western Railway
 Chicago, Milwaukee, St. Paul and Pacific Railroad
 Chicago Produce Terminal Company
 Chicago, Rock Island and Pacific Railway
 Colorado and Southern Railway
 Colorado and Wyoming Railway
 Davenport, Rock Island and North Western Railroad
 Denver and Rio Grande Western Railroad
 Denver Union Terminal Railway
 Des Moines Union Railway
 Duluth, Missabe and Iron Range Railway
 Duluth Union Depot and Transfer Company
 Duluth, Winnipeg & Pacific Railway
 Elgin, Joliet and Eastern Railway
 El Paso Union Passenger Depot
 Fort Worth and Denver Railway Company
 Galveston, Houston and Henderson Railroad
 Great Northern Railway
 Green Bay and Western Railroad
 Kewaunee, Green Bay and Western Railroad
 Houston Belt & Terminal Railway
 Illinois Central Railroad
 Illinois Northern Railway
 Illinois Terminal Railroad
 Joint Texas Division of CRI&P and Ft. W&D
 Joliet Union Depot Company
 Joplin Union Depot Company
 Kansas City Southern Railway
 Arkansas Western Railway
 Kansas City Shreveport and Gulf Terminal

Kansas City Terminal Railway
King Street Passenger Station (Seattle)
Lake Superior & Ishpeming
Lake Superior Terminal and Transfer Railway
Los Angeles Junction Railway
Louisiana & Arkansas Railway Company
Manufacturers Railway
Midland Valley Railroad
 Kansas, Oklahoma & Gulf Railway
 Oklahoma City-ADA-Atoka Railway
Minneapolis, Northfield & Southern Railway
Minnesota and Manitoba
Minnesota Transfer Railway
Missouri-Kansas-Texas Railroad Company
 Beaver, Meade and Englewood Railroad
Missouri Pacific Railroad (Western, Southern and Gulf District)
 Missouri-Illinois Railroad
Northern Pacific Railroad
Northern Pacific Terminal Company of Oregon
Northwestern Pacific Railroad
Ogden Union Railway and Depot Company
Oregon, California & Eastern Railway
Pacific Coast Railroad Company
Paducah and Illinois Railroad Company
Peabody Short Lines
Peoria and Pekin Union Railway
Peoria Terminal Company
Port Terminal Railroad Association
Pueblo Joint Interchange Bureau
St. Joseph Terminal Railroad Company
St. Louis-San Francisco Railway
 St. Louis, San Francisco & Texas Railway
St. Louis Southwestern Railway
St. Paul Union Depot Company
San Diego & Arizona Eastern
Sioux City Terminal Railway
Soo Line Railroad Company
Southern Pacific Company (Pacific Lines)
Southern Pacific Company—Texas and Louisiana Lines
Spokane International Railway
Spokane, Portland and Seattle Railway
 Oregon Trunk Railway
 Oregon Electric Railway
Terminal Railroad Association of St. Louis
Texarkana Union Station Trust
Texas and Pacific Railway
 Abilene and Southern Railway
 Fort Worth Belt Railway
 Texas-New Mexico Railway
 Texas Short Line
 Weatherford, Mineral Wells and Northwestern
Texas Mexican Railway Company
Texas Pacific-Missouri Pacific
 Terminal R.R. of New Orleans
Toledo, Peoria & Western Railroad
Tremont & Gulf Railway
Union Pacific Railroad
Union Railway Company (Memphis)
Union Terminal Company (Dallas)
Wabash Railroad Company
Walla Walla Valley Railway Company
Warren & Ouachita Valley Railway
Western Pacific Railroad
Western Weighing and Inspection Bureau

SOUTHEASTERN RAILROADS

Atlanta & West Point Rail Road Company
 The Western Railway of Alabama
Atlanta Joint Terminals
Atlantic Coast Line Railroad Company
Augusta Union Station Company
Birmingham Southern Railroad Company
Central of Georgia Railway Company
 Albany Passenger Terminal Company
 Macon Terminal Company
The Chesapeake & Ohio Railway Company
Clinchfield Railroad Company
Georgia Railroad
Gulf, Mobile & Ohio Railroad Company
Jacksonville Terminal Company
Kentucky & Indiana Terminal Railroad Company
Louisville & Nashville Railroad Company
Norfolk & Portsmouth Belt Line Railroad Company
Norfolk & Western Railway Company

THE PRESIDENT

Norfolk Southern Railway Company
Richmond, Fredericksburg & Potomac Railroad Company
Seaboard Air Line Railroad Company
Southern Railway Company
The Alabama Great Southern Railroad Company
The Cincinnati, New Orleans & Texas Pacific Railway Company
Georgia Southern & Florida Railway Company
New Orleans & Northeastern Railroad Company
The New Orleans Terminal Company
Harriman & Northeastern Railroad Company
St. Johns River Terminal Company
Tennessee Central Railway Company

LIST B

International Association of Machinists
International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths,
Forgers and Helpers
Sheet Metal Workers' International Association
International Brotherhood of Electrical Workers
Brotherhood of Railway Carmen of America
International Brotherhood of Firemen and Oilers
Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and
Station Employees
Brotherhood of Maintenance of Way Employees
The Order of Railroad Telegraphers
Brotherhood of Railroad Signalmen
Hotel and Restaurant Employees & Bartenders' International Union

[F.R. Doc. 62-2286; Filed, Mar. 5, 1962; 10:49 a.m.]

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

President's Committee on Youth Employment

Effective upon publication in the FEDERAL REGISTER, a new § 6.171 is added as set out below.

§ 6.171 President's Committee on Youth Employment.

(a) All positions on the staff of the President's Committee on Youth Employment, established by the President on November 16, 1961.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] MARY V. WENZEL,
Executive Assistant to
the Commissioners.

[F.R. Doc. 62-2205; Filed, Mar. 5, 1962; 8:50 a.m.]

Title 7—AGRICULTURE

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 5]

PART 728—WHEAT

Subpart—Wheat Marketing Quota Regulations for 1961 and Subsequent Crop Years

EXCESS ACREAGE UTILIZATION DATE

Basis and purpose. The amendment herein is issued pursuant to and in accordance with the Agricultural Adjustment Act of 1938, as amended, and is issued for the purpose of amending the date for the disposal of excess wheat acreage in five counties in Kansas. Since the determination of 1962 wheat acreage will soon be made, it is important that State and county committees be notified of the amendment herein as soon as possible so that producers with 1962 excess wheat acreage may be notified of the final date for utilization of such excess acreage as wheat cover crop. Accordingly, it is hereby found that compliance with the public notice, procedure and 30-day effective date provisions of section 4 of the Administrative Procedure Act is impracticable and contrary to the public interest. Therefore, the amend-

ment shall become effective upon its publication in the FEDERAL REGISTER.

Paragraph (b) of § 728.1145 is amended to change the date of May 20 to June 1 for five counties in Kansas as follows: Cheyenne, Decatur, Rawlins, Sherman, and Thomas.

(Secs. 374, 375, 52 Stat. 65, 66, as amended; 68 Stat. 904, 7 U.S.C. 1374, 1375)

Effective upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on February 28, 1962.

EMERY E. JACOBS,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 62-2211; Filed, Mar. 5, 1962; 8:51 a.m.]

Title 6—AGRICULTURAL CREDIT

Chapter V—Agricultural Marketing Service, Department of Agriculture

SUBCHAPTER B—EXPORT AND DOMESTIC CONSUMPTION PROGRAMS

PART 519—FRESH IRISH POTATOES

Subpart—Fresh Irish Potatoes—Livestock Feed Diversion Program CMD 3a

EXTENSION OF DATE FOR SPREADING

The provisions of the Fresh Irish Potatoes—Livestock Feed Diversion Program CMD—3a (26 F.R. 8589) are hereby revised to extend the date for spreading potatoes to be used for livestock feed after dehydration through a process of alternate freezing and thawing. Section 519.213(c)(4) is revised to read as follows:

(4) Spreading must take place on or before March 17, 1962.

Dated: March 1, 1962.

FLOYD F. HEDLUND,
Authorized Representative of
the Secretary of Agriculture.

[F.R. Doc. 62-2209; Filed, Mar. 5, 1962; 8:51 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter III—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT REGULATIONS

[Reg. Docket No. 1088; Amdt. 403]

PART 507—AIRWORTHINESS DIRECTIVES

Aero Commander Model 680F Aircraft

As a result of several failures of the alternate induction air valve and shaft

on Aero Commander Model 680F aircraft which caused loss of engine power, an airworthiness directive is considered necessary requiring replacement of the original parts with improved parts.

As a situation exists which demands immediate action in the interest of safety, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective upon publication in the FEDERAL REGISTER.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 507.10(a) of Part 507 (14 CFR Part 507), is hereby amended by adding the following new airworthiness directive:

AERO COMMANDER. Applies to all Model 680F aircraft, including pressurized versions, with Serial Numbers 871 through 1170.

Compliance required within the next 25 hours' time in service after the effective date of this directive.

In order to preclude failure of the alternate induction air valve and shaft assembly resulting in loss of engine power, replace the original air valve and shaft and rig in accordance with instructions outlined in Aero Commander Service Bulletin No. 76A dated February 5, 1962, or FAA approved equivalent.

This amendment shall become effective March 6, 1962.

(Sec. 313(a), 601, 603; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on February 26, 1962.

G. S. MOORE,
Acting Director,
Flight Standards Service.

[F.R. Doc. 62-2157; Filed, Mar. 5, 1962; 8:45 a.m.]

SUBCHAPTER E—AIR NAVIGATION REGULATIONS

[Airspace Docket No. 62-WA-19]

PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS

Alteration of Control Area Extension

The purpose of this amendment to § 601.1479 of the regulations of the Administrator is to alter the Peotone, Ill., control area extension.

The Peotone control area extension is currently described as that airspace southeast of Peotone bounded on the east by VOR Federal airway No. 7, on the southwest by VOR Federal airway No. 227, on the west by VOR Federal airway No. 53 and on the north by VOR Federal airway No. 38. Victor 227 has been redesignated as VOR Federal airway No. 491 (14 CFR 600.6491). Therefore, in order to correctly describe the Peotone control area extension, action is taken herein to substitute Victor 491 for Victor

227 in the description of the Peotone control area extension. This action will not change the dimensions of controlled airspace presently designated in this area.

Since this amendment imposes no additional burden on the public, notice and public procedure hereon are unnecessary and it may be made effective immediately.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), the following action is taken: In the text of § 601.1479 (14 CFR 601.1479) "VOR Federal airway No. 227," is deleted and "VOR Federal airway No. 491," is substituted therefor.

This amendment shall become effective upon the date of publication in the FEDERAL REGISTER.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on February 27, 1962.

LEE E. WARREN,
*Acting Director,
Air Traffic Service.*

[F.R. Doc. 62-2161; Filed, Mar. 5, 1962;
8:45 a.m.]

[Airspace Docket No. 61-FW-69]

PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS

Designation of Control Zone; Modification

On December 21, 1961, there was published in the FEDERAL REGISTER (26 F.R. 12215) an amendment to § 601.1983 of the regulations of the Administrator which designated a full-time control zone at the Hale County Airport, Plainview, Tex., effective February 8, 1962.

Subsequent to the publication of the amendment it has been determined that the time of designation of the Plainview control zone should be from 0600 to 2200 hours local standard time, daily. This change in the time of designation of the central zone is necessary to coincide with the hours of operation of the control tower. Accordingly, action is taken herein to reflect this change.

Since this amendment is minor in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary, and it may be made effective immediately.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), § 601.1983 (14 CFR 601.1983, 26 F.R. 12215) is amended as follows: In the description of the Plainview, Tex., control zone, "(latitude 34°10'10" N., longitude 101°43'00" W.)" is deleted and "(latitude 34°10'10" N., longitude 101°43'00" W.), from 0600 to 2200 hours central standard time, daily." is substituted therefor.

This amendment shall become effective upon the date of publication in the FEDERAL REGISTER.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on February 27, 1962.

LEE E. WARREN,
*Acting Director,
Air Traffic Service.*

[F.R. Doc. 62-2158; Filed, Mar. 5, 1962;
8:45 a.m.]

[Airspace Docket No. 62-KC-16]

PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS

Alteration of Control Zone

The purpose of this amendment to § 601.2112 of the regulations of the Administrator is to alter the Madison, Wis., control zone.

The Madison, Wis., control zone is designated within a 5-mile radius of the Truax Field, within 2 miles either side of the east course of the Madison radio range station extending from the radio range to 10 miles east and within 2 miles of lines bearing 183° and 003° True from the outer marker extending from the Truax Field control zone to 10 miles south of the outer marker.

The control zone extension based on the east course of the Madison radio range station is no longer required for air traffic control purposes. Therefore, action is taken herein to revoke the control zone extension based on this navigational aid.

Since the change effected by this amendment is less restrictive in nature than present requirements, notice and public procedure hereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective more than thirty days after publication.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), § 601.2112 (14 CFR 601.2112) is amended to read:

§ 601.2112 Madison, Wis., control zone.

Within a 5-mile radius of Truax Field, Madison, Wis. (latitude 43°08'15" N., longitude 89°20'10" W.) and within 2 miles either side of lines bearing 183° and 003° from the OM extending from the 5-mile radius zone to 10 miles S of the OM.

This amendment shall become effective 0001 e.s.t., May 3, 1962.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on February 27, 1962.

LEE E. WARREN,
*Acting Director,
Air Traffic Service.*

[F.R. Doc. 62-2159; Filed, Mar. 5, 1962;
8:45 a.m.]

[Airspace Docket No. 61-SW-124]

PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS

Redesignation of Control Zone; Modification

On January 18, 1962, there was published in the FEDERAL REGISTER (27 F.R. 508, effective March 8, 1962) an amendment to Part 601 (§ 601.2352) of the regulations of the Administrator which redesignated the Dalhart, Tex., control zone within a 3-mile radius of the Dalhart Municipal Airport and within 2 miles either side of the 002° radial of the Dalhart VORTAC extending from the 3-mile radius zone to 10 miles north of the VORTAC. Since the VORTAC is located outside the 3-mile radius zone, two radials are required to properly describe the control zone extension to the north. Therefore, action is taken herein to describe this extension within 2 miles either side of the Dalhart VORTAC 182° and 002° True radials in lieu of the 002° True radial.

Since this amendment is editorial in nature, and imposes no additional burden on any person, the effective date of the Final Rule as initially adopted may be retained.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), effective immediately, Airspace Docket No. 61-SW-124 (27 F.R. 508) is hereby modified as follows: In § 601.2352 in the description of the Dalhart, Tex., control zone "the 002° radial" is deleted and "the 182° and 002° radials" is substituted therefor.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on February 27, 1962.

LEE E. WARREN,
Acting Director, Air Traffic Service.

[F.R. Doc. 62-2160; Filed, Mar. 5, 1962;
8:45 a.m.]

[Airspace Docket No. 62-LA-4]

PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS

Alteration of Transition Area

The purpose of this amendment to § 601.10925 of the regulations of the Administrator is to alter the Twentynine Palms, Calif., transition area.

The Department of the Navy has requested that the portion of the Twentynine Palms transition area which presently coincides with the Bullion Mountains, Calif., Restricted Area (R-2501) be excluded from the restricted area. The Federal Aviation Agency has evaluated this request and it has been determined that this portion is in excess of that required as controlled airspace for air traffic service purposes in this area.

Accordingly, action is taken herein to revoke that portion of the Twentynine Palms transition area within R-2501.

Since the change effected by this amendment is less restrictive in nature than the present requirements, and imposes no additional burden on any person, notice and public procedure thereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective more than 30 days after publication.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), the following action is taken: In the text of § 601.10925 (26 F.R. 12516) "excluding the portion which coincides with R-2507. The portion of this transition area which coincides with R-2501 shall be used only after obtaining prior approval from appropriate authority." is deleted and "excluding the portions which coincide with R-2501 and R-2507." is substituted therefor.

This amendment shall become effective 0001 e.s.t., May 3, 1962.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on February 27, 1962.

LEE E. WARREN,
Acting Director,
Air Traffic Service.

[F.R. Doc. 62-2180; Filed, Mar. 5, 1962;
8:47 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 8420 c.o.]

PART 13—PROHIBITED TRADE PRACTICES

Arctic Light Blanket Co., Inc., and Philip F. Goldberg

Subpart—Misbranding or mislabeling: § 13.1185 *Composition*: § 13.1185-90 *Wool Products Labeling Act*. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition*: § 13.1845-80 *Wool Products Labeling Act*; § 13.1852 *Formal regulatory and statutory requirements*: § 13.1852-80 *Wool Products Labeling Act*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, secs. 2-5, 54 Stat. 1128-1130; 15 U.S.C. 45, 68) [Cease and desist order, Arctic Light Blanket Co., Inc., et al., Worcester, Mass., Docket 8420, Oct. 24, 1961]

In the Matter of Arctic Light Blanket Co., Inc., a Corporation, and Philip F. Goldberg, Individually and as an Officer of Said Corporation

Consent order requiring Worcester, Mass., manufacturers to cease violating

the Wool Products Labeling Act by such practices as labeling as 100 percent wool, blankets which contained a substantial quantity of reprocessed wool and other fibers, and by failing to disclose on blanket labels the presence of reprocessed wool and non-woolen fibers and the percentage thereof.

The order to cease and desist is as follows:

It is ordered, That respondents Arctic Light Blanket Co., Inc., a corporation, and its officers, and Philip F. Goldberg, individually and as an officer of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, or manufacture for introduction into commerce, or the offering for sale, sale, transportation or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act, of wool blankets or other wool products, as such products are defined in and subject to the said Wool Products Labeling Act, do forthwith cease and desist from misbranding such products by:

1. Falsely or deceptively stamping, tagging, labeling or identifying such products as to the character or amount of the constituent fibers contained therein.

2. Failing to affix labels to such products showing each element of information required to be disclosed by section 4(a) (2) of the Wool Products Labeling Act of 1939.

It is further ordered, That respondents, Arctic Light Blanket Co., Inc., a corporation, and its officers, and Philip F. Goldberg, individually and as an officer of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of wool blankets or other merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from directly or indirectly misrepresenting on sales invoices, shipping memoranda, or in any other manner the fiber content of said products.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: October 24, 1961.

By the Commission.

[SEAL]

JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 62-2162; Filed, Mar. 5, 1962;
8:45 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

[Release 40IA-123]

PART 275—RULES AND REGULATIONS, INVESTMENT ADVISERS ACT OF 1940

Custody or Possession of Funds or Securities of Clients

On November 6, 1961, in Release 40IA-122 and on November 10, 1961, in the FEDERAL REGISTER (26 F.R. 10607), the Commission published its proposal to adopt § 275.206(4)-2 (Rule 206(4)-2 under the Investment Advisers Act of 1940) to require investment advisers who have custody or possession of funds or securities of clients to segregate the securities and hold them in safekeeping and to set up a separate trust account in a bank for funds belonging to each client. The Commission has considered the comments and suggestions made on the proposal and has adopted the rule in the form stated below, to be effective April 2, 1962.

Section 206(4) of the Act prohibits any investment adviser from engaging in any act, practice or course of business which is fraudulent, deceptive or manipulative and gives the Commission the power, by rules and regulations, to define and prescribe means reasonably designed to prevent such acts, practices and courses of business. The new rule is designed to implement these provisions by requiring an investment adviser who has custody of funds or securities of any client to maintain them in such a way that they will be insulated from and not be jeopardized by financial reverses, including insolvency, of the investment adviser.

The rule makes it a fraudulent, deceptive or manipulative act, practice or course of business for any investment adviser who has custody or possession of funds or securities of clients to do any act or to take any action with respect to any such funds or securities unless (1) all such securities of each such client are segregated, marked to identify the particular client who has the beneficial interest therein, and held in safekeeping in a reasonably safe place; (2) all funds of such clients are deposited in one or more bank accounts which contain only clients' funds; such accounts are maintained in the name of the investment adviser as agent or trustee for such clients; and the investment adviser maintains a separate record for each such account showing where it is, the deposits and withdrawals, and the amount of each client's interest in the account; (3) the adviser, immediately after accepting custody or possession, notifies the client in writing of the place and manner in which the funds and securities will be maintained; (4) the adviser sends